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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

VICTOR LEE BARRON

CIVIL ACTION NO. 05-0412-A

VS.

SECTION P

DAVID YELVERTON, WARDEN

JUDGE DRELL

MAGISTRATE JUDGE KIRK

J U D G M E N T

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record including the objections filed by petitioner, and having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED that Grounds One, Two, Three, Four, Five, Six, Seven, Eight, Nine, Ten, Eleven, Twelve, Thirteen, Fourteen, Nineteen, Twenty, Twenty-one, Twenty-two, Twenty-three, Twenty-four, Twenty-five, Twenty-six, Twenty-seven, Twenty-eight, Twenty-nine, Thirty, Thirty-one, Thirty-two, Thirty-three, Thirty-four, Thirty-five, Thirty-six, Thirty-seven, and Thirty-eight be dismissed with prejudice as unexhausted yet "technically exhausted" and procedurally defaulted.

THUS DONE AND SIGNED, in chambers, in Alexandria, Louisiana,
on this 24th day of FEBRUARY, 2005.


DEE D. DRELL
UNITED STATES DISTRICT JUDGE